

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
May 2, 2004
Tribal Court Room 7500 Odawa Circle
Smudging 9:15 a.m.
9:30 a.m.

Executive Session: yes

Call to Order: Meeting was called to order at 9:38 a.m.

Council Present: Tribal Chairman Frank Ettawageshik, Vice-Chairperson Beatrice A. Law, Secretary Dexter McNamara, Treasurer Alice Yellowbank, Councilor Rita Shananaquet, Councilor Fred Harrington, Jr., Councilor Regina Gasco Bentley

Legal Staff Present: Allie Greenleaf Maldonado

Staff Present: Michele LaCount, Valerie Tweedie, Heidi Yapple, Cheryl Kishigo, Albert Colby, Jr.

Guests: Harvey Gibson, Harriet K. Booth, Marcia Sutton

Commissioners Present: Rochelle Ettawageshik, Carol McFall, Tim LaCroix, Rita Shepard, Beverly Wemigwase, Julie Shananaquet

Opening Ceremony: Beatrice A. Law, Tribal Member.

Motion made by Secretary Dexter McNamara and supported by Treasurer Alice Yellowbank to adopt the agenda for May 2, 2004, in honor of our ancestors who persevered and suffered so we could have this land, culture and language.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Treasurer Alice Yellowbank and supported by Secretary Dexter McNamara to approve the minutes of April 18, 2004, with corrections.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Secretary Dexter McNamara and supported by Vice-Chairperson Beatrice A. Law to accept the Treasurer's verbal and written report for May 2, 2004.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to suspend the Donations and Small Grants until new policies and procedures have been established, effective immediately.

Vote: 6 Yes, 1 No (Councilor Fred Harrington, Jr.), 0 Absent, 0 Abstained

Motion Carried

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairperson Beatrice A. Law to enter into the record the Victories Casino and Hotel 2003 audit report, there were no audit exceptions.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Secretary Dexter McNamara and supported by Treasurer Alice Yellowbank to direct the C.F.O. to seek costs and all other necessities to administer an internal and external hot line accessible 24/7 at Victories Casino and to report back to Tribal Council within 45 days so as to be able to continue to protect Tribal assets.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Secretary Dexter McNamara and supported by Vice-Chairperson Beatrice A. Law to move the personnel oversight of the Gaming Regulatory Commission staff from the Tribal Administrator back to the Gaming Regulatory Commission which is in keeping with the unanimous Tribal Council motion on September 8th 2002 that the Gaming Regulatory Commission personnel policies stand as written today and cannot be changed until they conform with the Gaming Regulatory Commission Ordinance (Waganakising Odawa Statute 2001-02) which states that the Gaming Regulatory Commission shall be authorized to employ such staff and/or consultants as reasonably may be required to fulfill their responsibilities under their ordinance.

Vote: 3 Yes, 4 No (Councilor Fred Harrington, Jr., Councilor Regina Bentley, Councilor Rita Shananaquet, Tribal Chairman Frank Ettawageshik), 0 Absent, 0 Abstained

Motion Failed

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Bentley to accept the Tribal Administrator's amended report for May 2, 2004.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to direct the Natural Resource Commission to develop a green area control policy for Tribal Council review and approval.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank approving the management of the 2004 Pow-Wow Grounds Improvement budget in the amount of \$78,000 to the Tribal Administrator.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion Carried

11:00 a.m. Vice-Chairperson Beatrice A. Law leaves
11:04 a.m. Vice-Chairperson Beatrice A. Law returns

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank approving the STEPS project Developing a community strategies focused on Asthma, Diabetes and Obesity Prevention with the Inter-Tribal Council of Michigan for the amount of \$20,953 and authorize the Tribal Chairman to sign the contract.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to approve \$100,000.00 funding for the Tribal Fishery in Mackinaw City to come from general fund prior year balance.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained
Motion Carried

11:13 a.m. Councilor Rita Shananaquet leaves
11:21 a.m. Councilor Rita Shananaquet returns

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita Shananaquet to accept the Tribal Chairman's verbal and written report for May 2, 2004.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita Shananaquet to cease making the gaming compact 8% payments to the State of Michigan upon the signing into law of the Racino Bill if it authorizes the use of Video Lottery Terminals and establish a fund to hold a like amount in escrow until the Tribe determines how to legally distribute these funds.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Motion Carried

11:50 Tribal Chairman Frank Ettawageshik leaves
11:54 a.m. Public Comment opened: Carol McFall, Tim LaCroix
11:56 a.m. Public Comment closed
12:00 p.m. Lunch recess called
1:50 p.m. Meeting reconvened and Tribal Chairman Frank Ettawageshik returns

1:53 p.m. 2005 Budget Hearing opened for comments: Angie Wooden, Harriet Booth, Carol McFall, Rita Shepard, Harvey Gibson, Warren Petoskey, Heidi Yapple, Cheryl Kishigo, Allie Greenleaf Maldonado, Albert Colby, Jr.

2:40 Councilor Rita Shananaquet leaves
2:41 p.m. Councilor Fred Harrington, Jr., leaves
2:43 p.m. Councilor Rita Shananaquet and Councilor Fred Harrington, Jr., returns

3:19 p.m. Recess called
3:30 p.m. Meeting reconvened

3:30 p.m. 2005 Budget Hearing continues for comments: Harvey Gibson, Allie Greenleaf Maldonado, Albert Colby, Jr., Michele LaCount, Cheryl Kishigo

4:22 p.m. Councilor Rita Shananaquet leaves
4:27 p.m. Councilor Rita Shananaquet returns
4:48 p.m. Budget hearing closed

4:49 p.m. Public comment opened: no comments
4:49 p.m. Public Comment closed

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to accept the Legal Department's verbal report as presented by Allie Maldonado.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Rita Shananaquet to authorize any Tribal Council member wishing to attend the Falmouth Institute training with Gaming Regulatory scheduled for June 2004, to be paid stipend, mileage, per diem and lodging. Further to pay the initial training fee from the Commissions, Boards, and Committees training line item.

Vote: 6 Yes, 1 No (Secretary Dexter McNamara), 0 Absent, 0 Abstained

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Dexter McNamara to add \$50,000 to the fiscal year 2004 Elder's Program to compensate for budget modifications made at the end of the Administration of Aging grant, to come from general fund prior year balance, and further direct the Tribal Administrator to develop a budget modification reflecting this \$50,000 increase.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to approve Burial request # A0073 for \$5,000.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Dexter McNamara to approve enrollment list "A" eligible for membership dated April 21, 2004.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion to by Vice-Chairperson Beatrice A. Law and supported by Councilor Regina Bentley to accept enrollment list "B" In-Eligible dated April 21, 2004.

Vote: 4 Yes, 3 No (Councilor Fred Harrington, Jr., Treasurer Alice Yellowbank, Secretary Dexter McNamara), 0 Absent, 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Dexter McNamara to adopt Resolution #050204-01 Request for Funding from the United States Department of Justice, Office of Community Oriented Policing Services, Little Traverse Bay Bands of Odawa Indians, Natural Resources Department Tribal Resources Grant Program 2004.

Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-yes, Councilor Fred Harrington, Jr.-yes, Councilor Regina Bentley-yes
Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to adopt Resolution #050204-02 Request for Funding from the United States Dept of Justice, Office of Community Oriented Policing Services, Little Traverse Bay Bands of Odawa Indians Law Enforcement Department Tribal Resources Grant Program 2004.

Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-yes, Councilor Fred Harrington, Jr.-yes, Councilor Regina Bentley-yes
Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to adopt Resolution #050204-03 Request for Funding from Indian Health Service, Little Traverse Bay Bands of Odawa Indians Injury Prevention Special Project.

Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-yes, Councilor Fred Harrington, Jr.-yes, Councilor Regina Bentley-yes
Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Regina Bentley to adopt Resolution #050204-04 Request for Funding from the United States Department of Interior, Fish and Wildlife Service, Little Traverse Bay Bands of Odawa Indians Natural Resources Department Fiscal Year 2004 Tribal Wildlife Grant.

Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-yes, Councilor Fred Harrington, Jr.-yes, Councilor Regina Bentley-yes
Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law to go into executive session for land issues.

Motion Withdrawn

5:41 p.m. recess called

5:51 p.m. Meeting reconvened

5:51 p.m. Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to go into executive session for land issue #10.

Vote: 6 yes, 1 No (Councilor Fred Harrington, Jr.), 0 Absent, 0 Abstained

Motion Carried

6:18 p.m. Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Rita Shananaquet to return to open session.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Rita Shananaquet to schedule a work session for May 24, 2004 to finish the Personnel Policies and to authorize Tribal Council to attend with stipend, per diem, lodging and travel.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

6:23 p.m. Motion made by Secretary Dexter McNamara and supported by Councilor Rita Shananaquet to adjourn.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

These Minutes have been read and approved as written:

Approved:

Dexter McNamara, Tribal Secretary

Date